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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
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Item 4 of the provisional agenda
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues in relation to the combined fourth to sixth periodic reports of Suriname

Legislative framework and definition of discrimination

1. In accordance with the State party's obligations under articles 1 and 2 of the Convention and in line with Sustainable Development Goal 5, target 5.1, to end all forms of discrimination against all women and girls everywhere, please update the Committee on the status of the draft law on equal treatment of women and men and indicate whether it: (a) integrates a definition of discrimination against women in line with article 1 of the Convention, prohibiting direct and indirect discrimination by both public and private actors, in accordance with article 2 of the Convention (para. 25);[1] and (b) includes the protection of all women from discrimination, including on the basis of sexual orientation and gender identity.

Visibility of the Convention

2. Please provide examples of any cases in which the provisions of the Convention have been referred to by domestic courts. Please indicate whether the Convention and the Committee's general recommendations are being translated into local languages and systematically integrated into capacity-building programmes for lawmakers, judges, prosecutors, lawyers and police and other law enforcement officials. Please also indicate whether the Convention and the Committee's general recommendations are also being systematically integrated into capacity programmes for civil society and non-governmental organizations through the programmes of the Ministry of Home Affairs with responsibility for the National Bureau for Gender Policy.

Note: The present document is being circulated in English, French and Spanish only.

[1] Unless otherwise indicated, paragraph numbers refer to the combined fourth to sixth periodic reports of the State party (CEDAW/C/SUR/4-6).

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Access to justice

3. In line with general recommendation No. 33 (2015) on women's access to justice, please provide information on the mechanisms and procedures available to women to enforce their rights under the Convention, including complaint mechanisms for cases of gender-based discrimination in public or private spheres, and the measures taken to inform women about those mechanisms and procedures. Given that article 12 of the Constitution guarantees the right to legal assistance and free legal aid for the financially weak (HRI/CORE/SUR/2014, paras. 76 and 77) and in view of the State party's acceptance, at its latest universal periodic review, of recommendation 133.81 to "Take concrete steps to improve access to legal representation and justice for vulnerable groups, through affordable legal aid schemes" (A/HRC/33/4), please report about the accessibility, availability and quality of legal aid and counselling for low-income women in all areas of law.

National machinery for the advancement of women

4. Please indicate the measures taken by the State party to further strengthen its national machinery for the advancement of women, particularly the National Bureau for Gender Policy, the National Committee on Gender Legislation and gender focal points in the various ministries, including by clearly defining the mandate and responsibilities of the various components, how their coordination is ensured and whether they are provided with adequate human, technical and financial resources. Please also provide information on whether the recently created national human rights institution is established in accordance with the Paris Principles and whether it has the mandate to deal with cases of gender-based discrimination. The Committee is informed that pervasive corruption in the State party may result in inadequate funding and resources for supporting the national machinery for the advancement of women and programmes to promote development and ensure poverty eradication, thereby resulting in a negative impact on the implementation of the rights guaranteed under the Convention. In view of Sustainable Development Goal 16, please indicate the measures taken by the State party, including legislative measures, to address the issue of corruption in public office and its impact on human rights and, in particular, the advancement and protection of women's human rights.

Extraterritorial obligations

5. Please provide information on the regulatory framework for industries in such areas as gold, petroleum and agribusiness and companies operating within the State party as well as Suriname-registered companies carrying out operations abroad to ensure that their activities do not negatively affect human rights or endanger environmental, labour, health and other standards, especially those relating to women's rights.

Temporary special measures

6. In accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, please provide information on any such measures in place: (a) to accelerate women's full and equal participation in all areas of the Convention where they are disadvantaged or underrepresented, including in public and political processes and male-dominated sectors of employment; and (b) to tackle intersecting forms of discrimination faced by disadvantaged groups of women, specifically Maroon women, women in the interior and women with disabilities.

Stereotypes

7. The Committee previously expressed concern (CEDAW/C/SUR/CO/3, para. 17), about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society in Suriname. Please provide information on the results of any assessment of the impact of measures taken by the State party to change social and cultural patterns that reinforce such stereotypes, including within the family, the education system and the employment sector and among elected and government officials, media practitioners and community leaders (paras. 47 and 48).

Gender-based violence against women

8. In view of the adoption in 2009 of the Law on Combating Domestic Violence, the accompanying national action plan and the revisions of the penal code to criminalize marital rape (paras. 227 and 228), please inform the Committee about: (a) what impact those measures have had on the number of cases of violence against women reported, investigated and prosecuted, including details on the number and weight of sanctions applied to perpetrators and remedies accorded to victims; (b) the protection measures available for women in cases of domestic violence and any assessments about their outcomes for ensuring the safety of victims/survivors; and (c) the number of shelters available for women facing violence and their geographical distribution and resources, including physical and psychological rehabilitation services.

Trafficking and exploitation through prostitution

9. Please provide details on whether the definition of trafficking in persons is in alignment with international standards and indicate the forms of human trafficking penalized by the recent amendments to the penal code (para. 53), the number of cases prosecuted under those provisions, the nature of sanctions imposed on perpetrators and the profile of the victims disaggregated by sex, age, ethnicity and origin. The Committee notes that the existing legal framework, including the 2006 penal code revision and the 2014 national strategy to combat trafficking in persons, lacks an explicit reference to the means by which trafficking victims can seek asylum in Suriname, resulting in the denial of access to asylum to foreign victims of trafficking who may also be refugees. Please inform the Committee whether the State party intends to adopt a law or policy to ensure that foreign national victims of trafficking will be provided with access to asylum procedures in Suriname if they express a fear of return to their countries of origin and whether this framework will be reinforced through the implementation of identification and referral mechanisms, including at points of entry and in detention facilities.

10. Please update the Committee on the status of the "*Schakelketting* 2.0" new government infrastructure to combat trafficking in persons, which is reportedly required to implement the national strategy and national plan of action to combat trafficking in persons, and on the extent to which its programmes provide adequate professional support to victims, including through the establishment of shelters throughout the State party that provide rehabilitation and reintegration support (paras. 58, 61 and 62). Please indicate the measures taken to strengthen awareness-raising programmes on trafficking, particularly with Maroon communities and women and girls in the interior.

11. In reference to the statement that "only street sex workers who misbehave are being prosecuted" (para. 63), please clarify what behaviour is sanctioned and provide data on the number of women in prostitution who are detained, disaggregated by age, ethnicity and origin, the length of their detention and the

nature of penalties applied to them. Please also indicate the existence of social services and any assistance made available to women wishing to leave prostitution, including the provision of alternative income-generating opportunities and social reintegration programmes, as well as measures to reduce the demand for prostitution.

Participation in political and public life

12. In view of the low representation of women in Parliament, the Council of Ministers and the leadership of the political parties, please provide details of the action plan to introduce a system of quotas to increase the representation of women in public life and in political decision-making positions (paras. 74 and 77-79). Please also provide information on steps taken to implement the previous recommendation of the Committee (CEDAW/C/SUR/CO/3, para. 26) to ensure that measures to accelerate women's full and equal participation in elected and appointed bodies are extended to indigenous and other racial minority women and include establishing benchmarks, numerical goals and timetables; conducting training programmes on leadership and negotiation skills for current and future women leaders; and regular monitoring of progress made and results achieved. Please provide information concerning the leadership and representation of women in the judiciary, public service, rural councils, agricultural cooperatives, trade unions, chambers of commerce, public and private boards, employer organizations and professional associations.

Education

13. Despite the abolishment of fees for primary and secondary schools, the rate of enrolment and retention remains low for girls having disabilities, living in the interior, belonging to indigenous and minority groups and living in poverty situations. In this light, please inform the Committee about the existence of targeted measures to increase the accessibility of those groups to education. The report indicates that while women account for a higher proportion of students at all existing levels, they are enrolled mainly in female-dominated areas of all existing technical and vocational education (para. 109). Please indicate what measures are contemplated to increase female participation in non-traditional areas of vocational training as well as in technology, mathematics and science based studies at the secondary and tertiary levels.

14. Please provide updated information on: (a) the progress made to develop age-appropriate education on sexual and reproductive health and rights at all levels of education in the State party; (b) the dropout rates of girls owing to pregnancy, disaggregated by age and region; (c) the development, implementation and enforcement of regulations to prevent the removal of pregnant adolescents or mothers from school (para. 113); and (d) developments to extend the geographical reach of the Teen Mothers Programme, which provides support to adolescent mothers, and specifically to girls with disabilities and those in the interior, to allow them to continue their education (para. 152).

Employment

15. The report acknowledges that although women and girls have increased participation and attainment rates at all levels of education, those rates are still not adequately reflected in employment or income parity, with unemployment rates remaining higher among women (paras. 122-124). Please provide information on the concrete measures taken to promote the employment of women, particularly women from minority, indigenous and impoverished communities, in non-traditional, higher-wage sectors, including through the use of temporary special

measures. Please provide updated information on the status of: (a) the draft law on sexual harassment in the workplace (paras. 22 and 136); (b) the draft provision of the civil code obligating all employers to pay maternity leave (paras. 21 and 133); and (c) the amendment of the "*Personeelswet*" to repeal the provisions making only married women eligible to enter into a labour contract with the Government, reducing women's entitlement to annual leave as a result of pregnancy and childbirth and giving the Government the ability to terminate a labour contract with a female civil servant upon her marriage (paras. 223 and 224). Furthermore, please indicate whether the State party envisages collecting sex-disaggregated data on occupational segregation, both horizontal and vertical, and on the wage gap between women and men, with a view to strengthening its efforts to enforce the principle of equal pay for work of equal value, in line with International Labour Organization Convention No. 100 (1951) on equal remuneration (para. 131).

Health

16. Please provide information on the percentage of the national budget allocated to women's health and the proportion allocated to meeting the basic sexual and reproductive health needs of women in the State party. The report states that provisions penalizing persons exhibiting contraceptives for the prevention of pregnancy or offering contraceptives and contraceptive services and publications for the prevention of pregnancy were banned in 2009 (para. 211). Please clarify whether all laws restricting family-planning activities and abortion services have been repealed in line with the Committee's previous recommendation (CEDAW/C/SUR/CO/3, para. 30), including articles 355-357 of the penal code, and report the progress made to legalize abortion and ensure its legal, safe and practical availability in cases in which the life and/or health of the pregnant woman or girl is at risk and in cases of rape, incest and serious impairment of the fetus. In view of the multiple indicator cluster statistics study in 2010 showing a correlation between women's poverty and access to contraceptives, please provide information about the extent to which the subsidy plan to guarantee women in poverty access to contraceptives is operational and the number and reach of its beneficiaries, and particularly whether it benefits Maroon and indigenous women in the interior (paras. 149, 154, 214 and 215).

17. Please inform the Committee as to whether the national strategic plan to combat HIV/AIDS (2014-2020) in the State party includes measures to address the issues identified in the report as requiring priority attention, namely: (a) preventing the contraction of HIV/AIDS by high-risk groups, particularly women in prostitution and women in the interior; (b) the need to reduce stigma and discrimination against women and sexual minorities living with HIV; and (c) the implementation of HIV prevention programmes targeting married women and women in other conjugal relations (para. 156).

Social and economic life

18. Please provide details on the impact of legislative reform (the Minimum Hour Wage Act, the National Benefits Pension Act and the National Health Insurance Act) and the issuance of social benefits listed in paragraphs 164 to 175 of the report on decreasing the level of poverty experienced by women in the State party. The Committee notes the disproportionately adverse impact on women of austerity measures taken by the State party, including budget cuts to reduce debt and the creation of a value added tax in 2014. Please provide the results of any assessment conducted on the impact of those austerity measures on women, particularly socially and economically disadvantaged women, in the State party, including with respect to their access to social programmes.

Disaster risk reduction and climate change

19. Please provide details on the ways in which the State party is addressing the impact of disasters and climate change on women, in particular Maroon women, indigenous women and women in the interior, as they are disproportionately affected. Please also indicate measures taken to ensure the equal participation of women at all levels of decision-making with regard to disaster risk reduction and climate change adaptation.

Rural women, Maroon women and indigenous women living in the interior

20. According to the report, rural districts and the interior where the Maroons and indigenous people live experience disproportionately low access to social services, sanitation facilities, energy and communications technologies (paras. 183, 184, 197 and 200-202) and suffer from the highest levels of poverty, with 91.4 per cent living in extreme poverty in the interior (paras. 178, 179 and 187). Please provide the outcome of any assessment of the effectiveness of the National Development Plan (2012-2016) in decreasing the poverty of rural women, Maroon women and indigenous women living in the interior. Given the high number of rural women responsible for growing food for their families, please update the Committee on the development and implementation of a policy to support the economic and social development of rural women and in particular to overcome the persistent gender inequalities limiting their access to land, credit, decent incomes, technologies, information, advisory services and training (paras. 188 and 191). Please inform the Committee about how the full participation of rural women in the formulation and implementation of policies and programmes affecting them has been guaranteed, in line with general recommendation No. 34 (2016) on the rights of rural women.

Disadvantaged groups of women

21. Please provide updated information on whether women with disabilities, Maroon women and indigenous women: (a) are protected from discrimination by specific legislation and an accompanying strategy; and (b) have effective access to their economic and social rights, such as public benefits, health services, financial services, education and employment opportunities. Please inform the Committee on how the systematic separation of girls from women in detention is assured in practice.

Equality in marriage and family relations

22. Please update the Committee on the timeline for: (a) the adoption of the draft civil code containing provisions to increase the age of consent for marriage to 18 for both girls and boys (paras. 18 and 234), removing the legal incapacity of married women (para. 24) and guaranteeing equality in parental authority and custody of children and the same personal rights for married women (paras. 217 and 221); and (b) the adoption of legislation to guarantee that married women will no longer be obliged to use the surname of their husband on their identity card (para. 222). In view of the statement in the multiple indicator cluster statistics 2010 report that approximately 12 per cent of women aged 15-19 are married or in a union, please inform the Committee regarding the existence of a national strategy to prevent and eliminate child marriage, providing victims of child and early marriage and unions with access to shelters, health and psychosocial support and legal counsel to assist them in pursuing complaints.

Optional Protocol and amendment to article 20, paragraph 1

23. According to the report, conditions must be in place, including the adoption of appropriate legal measures, prior to the ratification of the Optional Protocol (para. 42). Please specify the nature of those conditions. Please indicate any progress made with respect to acceptance of the amendment to article 20, paragraph 1, of the Convention concerning the Committee's meeting time.